

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH SAM, also known as JOSEPH  
EARLYSTAR CLARK,

Defendant,

v.

UPPER SKAGIT INDIAN TRIBE,

Garnishee-Defendant.

CASE NO. 2:23-mc-00074-LK

CONTINUING GARNISHMENT  
ORDER

This matter comes before the Court on the United States of America's Motion to Issue Continuing Garnishment Order pursuant to 28 U.S.C. § 3205(c)(7). Dkt. No. 27. A Writ of Continuing Garnishment was issued on October 13, 2023, and has been served upon the garnishee, the Upper Skagit Indian Tribe. Dkt. Nos. 10, 12. No answer was filed for over 16 months.

On February 20, 2025, the United States filed a Petition for an Order Requiring Garnishee to Appear and Show Cause Why It Failed to Answer the Writ of Garnishment and Withhold

1 Property. Dkt. No. 19. Garnishee Upper Skagit Indian Tribe then filed an Answer and Amended  
2 Answer to the Writ on February 27 and March 3, 2025, respectively. Dkt. Nos. 21, 22. On March  
3 5, 2025, the United States and the Garnishee stipulated to a resolution of the United States’  
4 Petition. Dkt. No. 23; *see also* Dkt. Nos. 25, 26. In the parties’ stipulation, the Tribe acknowledged  
5 that it disbursed \$13,500 to Mr. Sam after it had received service of the Writ due to an oversight,  
6 and the parties agreed that the Court should issue a payment order (following an appropriate  
7 motion by the United States) requiring the Tribe to pay \$13,500 to the Clerk of the Court and “any  
8 future payments [the Tribe] might disburse to Mr. Sam,” to be applied to his criminal judgment  
9 debt in Case No. 2:19-CR-00115-002. Dkt. No. 23 at 2; Dkt. No. 23-1 at 2. The Court entered the  
10 parties’ proposed order resolving the United States’ Petition on March 6, 2025. Dkt. No. 25.

11 The United States attests that, also on March 5, it “mailed copies of the Tribe’s Answer  
12 and Amendment to the Answer to Mr. Sam.” Dkt. No. 27 at 2; Dkt. No. 24. The 20-day period for  
13 Mr. Sam to object to the Tribe’s Answer has now passed without Mr. Sam having filed any  
14 objection. *See* 28 U.S.C. § 3205(c)(5); *see also* Dkt. No. 27 at 2.

15 The United States filed this Motion to Issue Continuing Garnishment Order on April 10,  
16 2025. Dkt. No. 27.

17 Pursuant to 28 U.S.C. § 3205(c)(7), the Court therefore ORDERS as follows:

- 18 1. That the Garnishee, Upper Skagit Indian Tribe, shall cause \$13,500 to be  
19 delivered promptly to:

20 United States District Court, Western District of Washington  
21 Attn: Finance Clerk  
22 700 Stewart Street, Suite 2310  
23 Seattle, WA 98101;  
24

2. That the Tribe shall likewise deliver to the Clerk any of Mr. Sam's nonexempt property in its possession, custody, or control, including any future payments it might disburse to Mr. Sam, at the time those payments become payable;
3. That the Tribe shall make such payments via check payable to the U.S. District Court Clerk, noting on the memo line "U.S. v. Sam, No. 2:19-CR-00115-002";
4. That the Clerk shall apply all such payments to Mr. Sam's criminal judgment debt in Case No. 2:19-CR-00115-002; and
5. That the Writ of Garnishment shall remain in effect until it is terminated under 28 U.S.C. § 3205(c)(10).

Dated this 5th day of May, 2025.



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Lauren King  
United States District Judge